

REMARKS

In the Final Office Action of February 7, 2008, the specification was objected to because the title of the invention is alleged to be not descriptive. In addition, claims 1-11, 13-17 and 19 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 4,578,674 (“Baker et al.”) in view of U.S. Patent No. 4,521,772 (“Lyon”). Furthermore, claim 12 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Baker et al. in view of Lyon and further in view of U.S. Patent No. 7,199,783 (“Wenstrand et al.”). Also, claim 18 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Baker et al. in view of U.S. Patent Application No. US 2002/0140677 A1 (“Misek et al.”).

With respect to the objection to the specification, Applicant respectfully asserts that the current title of “PROGRAMMABLE OPTICAL MOUSE” is descriptive of the invention to which the claims are directed. Thus, Applicant respectfully requests that the objection to the specification with respect to the title be withdrawn.

With respect to the claim rejections, Applicant has amended claims 1, 3, 5 and 17-19 to more clearly distinguish the claimed invention from the cited references of Baker et al., Lyon and Misek et al. Support for these claim amendments can be found at least on page 1, lines 4-8, on page 2, lines 23-26, and on page 4, lines 1-4, of the specification. As amended, Applicant respectfully asserts that the independent claims 1, 3 and 17-19 are not obvious in view of the cited references of Baker et al., Lyon and/or Misek et al., as explained below. In view of the claim amendments and the following remarks, Applicant respectfully requests that the pending claims 1-19 be allowed.

A. Patentability of Independent Claims 1, 3, 17 and 19

As amended, the independent claim 1 recites “*an optical imaging array sensor operable to capture images of a target surface, the optical imaging array sensor being further operable to receive an optical signal from an optical-signal emitter communicatively coupled to an electronic system*” and “*a processor operable to calculate a vector value that represents a movement of the receiver using the images*”

captured by the optical imaging array during a cursor controlling operation, the processor being further operable to implement a performance characteristic value specified by the optical signal received by the optical imaging sensor array during programming of characteristic settings of the receiver,” which are not disclosed in the cited references of Baker et al. and Lyon. Thus, the amended independent claim 1 is not obvious in view of these cited references. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

The cited references of Baker et al. and Lyon do not disclose an optical imaging array sensor operable to capture images of a target surface and also operable to receive an optical signal from an optical-signal emitter communicatively coupled to an electronic system. Thus, the cited references of Baker et al. and Lyon do not disclose the limitations of “*an optical imaging array sensor operable to capture images of a target surface, the optical imaging array sensor being further operable to receive an optical signal from an optical-signal emitter communicatively coupled to an electronic system,*” as recited in the amended independent claim 1.

Furthermore, the cited references of Baker et al. and Lyon do not disclose a processor operable to calculate a vector value that represents a movement of a receiver using images captured by an optical imaging array and operable to implement a performance characteristic value specified by an optical signal received by the same optical imaging sensor array. Thus, the cited references of Baker et al. and Lyon do not disclose the limitations of “*a processor operable to calculate a vector value that represents a movement of the receiver using the images captured by the optical imaging array during a cursor controlling operation, the processor being further operable to implement a performance characteristic value specified by the optical signal received by the optical imaging sensor array during programming of characteristic settings of the receiver,*” as recited in the amended independent claim 1. Consequently, the amended independent claim 1 is not obvious in view of these cited references. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

The above remarks are also applicable to the amended independent claims 3, 17 and 19, which recite limitations similar to those of the amended independent claim 1. Thus, the amended independent claims 3, 17 and 19 are also not obvious in view of the

cited references of Baker et al. and Lyon. As such, Applicant respectfully requests that the amended independent claims 3, 17 and 19 be allowed as well.

B. Patentability of Amended Independent Claim 18

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10 The independent claim 18 recites “*generating an optical signal to be received by an optical imaging array sensor of the optical-signal receiver from an optical-signal emitter, the receiver having a performance characteristic set to a first value, the optical signal operable to set the performance characteristic to a second value, the optical*
15 *imaging array sensor being operable to also capture images of a target surface to calculate a vector value to determine a movement of the receiver*” and “*displaying the optical signal on a video-display monitor of the optical-signal emitter to be received by the optical imaging array sensor of the optical-signal receiver to set the performance characteristic to the second value in response to the optical signal,*” which are not disclosed in the cited references of Baker et al. and Misek et al. Thus, the amended independent claim 18 is not obvious in view of these cited references. As such, Applicant respectfully requests that the amended independent claim 18 be allowed.

20 The cited references of Baker et al. and Misek et al. do not disclose generating an optical signal to be received by an optical imaging array sensor of an optical-signal receiver, which is operable to capture images of a target surface, and displaying such optical signal on a video-display monitor. Thus, the cited references of Baker et al. and Misek et al. do not disclose the limitations of “*generating an optical signal to be received by an optical imaging array sensor of the optical-signal receiver from an*
25 *optical-signal emitter, the receiver having a performance characteristic set to a first value, the optical signal operable to set the performance characteristic to a second value, the optical imaging array sensor being operable to also capture images of a target surface to calculate a vector value to determine a movement of the receiver*” and “*displaying the optical signal on a video-display monitor of the optical-signal emitter*
30 *to be received by the optical imaging array sensor of the optical-signal receiver to set the performance characteristic to the second value in response to the optical signal,*” as recited in the amended independent 18. Consequently, the amended independent claim 18 is not obvious in view of these cited references. As such, Applicant respectfully requests that the amended independent claim 18 be allowed.

C. Patentability of Dependent Claims 2 and 4-16

Each of the dependent claims 2 and 4-16 depends on one of the amended independent claims 1 and 3. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as their respective base claims.

As an example, the amended dependent claim 5 recites “*wherein the emitter comprises a video-display monitor configured to display said optical signal to be received by the optical imaging array sensor of the optical-signal receiver to set the performance characteristic to the second value in response to the optical signal,*” which is not disclosed in the cited references of Baker et al. and Lyon. Thus, the amended dependent claim 5 is not obvious in view of the cited references of Baker et al. and Lyon.

Applicant respectfully requests reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

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